

Remarks/Arguments:

The above Amendments and these Remarks are in reply to the Final Office Action mailed November 17, 2006.

Claims 1-33 and 37 were pending in the Application prior to the outstanding Final Office Action. In the Final Office Action, the Examiner rejected claims 1-33 and 37.

The present Response leaves for the Examiner's present consideration claims 1-33 and 37. Reconsideration of the rejections is requested.

Claims 1-2, 5, 7-10, 12-13, 16, 18, 19-21, 23-24, 27, 29-31 and 32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aldis et al., U.S. Patent Application Publication 2004/0039916 A1 in view of Horstmann, U.S. Patent No. 6,009,401.

Independent claims 1, 12 and 23 include “downgrading” a version of software. This is not shown, suggested or given a motivation for in the prior art.

Horstmann does not disclose “downgrading” software versions. In Horstmann, a user can transfer a license from one computer to another by downloading an “old version” from a central server. There is no “downgrading” involved. The same, albeit old, version of software is used on both computers.

For this reason, independent claims 1, 12 and 23 are believed to be allowable. Claims 2-11, 13-22 and 24-33 are dependent on these claims and for that reason and because of the additional limitations of these claims, these dependent claims are believed to be allowable.

Claim 37, is rejected under 35 U.S.C. 103(a) as being unpatentable over Aldis et al., U.S. Patent Application Publication 2004/0039916 in view of Watanabe et al., U.S. Patent Application Publication 2003/0182146 A1.

Claim 37 states “wherein the software license bank stores a predetermined dollar amount of licenses.” The cited references do not disclose, suggest or give a motivation for such a software license bank. Watanabe in paragraph [0038] and Figures 3 and 4 do not disclose such a software license bank. License fees are indicated but they are not used to set the number of licenses available. Watanabe includes a “lump sum payment” in paragraph [0024] but this is a straight payment for a number of leases not the license bank like in claim 37. For this reason, claim 37 is believed to be allowable.

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The

Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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